

MICHAEL J MICELI, ESQ.
Nevada bar No. 10151
PITARO & FUMO, CHTD.
601 LAS VEGAS BOULEVARD, SOUTH
LAS VEGAS, NEVADA 89101
Phone: 702.474.7554 Fax: 702-474-4210
Email: kristine.fumolaw@gmail.com/michaeljmiceli@gmail.com
Attorney for Defendant
DANIEL NATHAN

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
NOV - 8 2019	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

2:19-mj-00368- VCF

Plaintiff,

ORDER

v.

**STIPULATION AND ORDER TO
CONTINUE PRELIMINARY
EXAMINATION**

DANIEL NATHAN,

(FOURTH REQUEST)

Defendant.

IT IS HEREBY STIPULATED by and between DANIEL NATHAN, Defendant, by and through his counsel MICHAEL J MICELI, ESQ, and the United States of America, ROBERT KNIEF, Assistant United States Attorney, that the preliminary examination hearing currently scheduled for November 12, 2019 at 4:00 p.m., be vacated and reset to a date and time convenient to the Court but no sooner than ninety (90) days.

This Stipulation is entered into for the following reasons:

1. Counsel has spoken to the Defendant and he has no objections to the continuance.
2. Defendant is not currently incarcerated and on Pretrial Release.
3. The parties need additional time to discuss potential pre-indictment resolutions that may obviate the need to proceed with the preliminary hearing.

1 4. The parties need a continuance to review discovery and discuss possible defense and
2 otherwise prepare for the preliminary hearing.

3 5. Additionally, denial of this request for continuance would result in a miscarriage of
4 justice.

5 6. This is the fourth request for a continuance of the preliminary.

6 DATED this 6th day of November, 2019.

7
8
9
10 PITARO & FUMO, CHTD.

NICHOLAS A. TRUTANICH
UNITED STATES ATTORNEY

11
12
13 /s/
14 MICHAEL J. MICELI, ESQ.
15 601 LAS VEGAS BOULEVARD, SOUTH
16 LAS VEGAS, NEVADA 89101
ATTORNEY FOR DEFENDANT
DANIEL NATHAN

/s/
ROBERT KNIEF, ESQ.
ASSISTANT UNITED STATES ATTORNEYS
501 LAS VEGAS BOULEVARD SOUTH. #1100
LAS VEGAS, NEVADA 89101

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,) 2:19-mj-00368- VCF
)
)
Plaintiff,)
)
v.)
)
DANIEL NATHAN,)
)
Defendant.)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

This Stipulation is entered into for the following reasons:

1. Counsel has spoken to the Defendant and he has no objections to the continuance.
2. Defendant is not currently incarcerated and on Pretrial Release.
3. The parties need additional time to discuss potential pre-indictment resolutions that may obviate the need to proceed with the preliminary hearing.
4. The parties need a continuance to review discovery and discuss possible defense and otherwise prepare for the preliminary examination.
5. Additionally, denial of this request for continuance would result in a miscarriage of justice.
6. This is the fourth request for a continuance of the preliminary examination.

ORDER

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy preliminary hearing, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for a preliminary hearing, taking into account the exercise of due diligence.

IT IS THEREFORE ORDERED that the preliminary examination in the above captioned matter currently scheduled for November 12, 2019 at 4:00 p.m., be vacated and continued to February 10, 2020, at 4:00 p.m. Courtroom 3D.

DATED this 8th of November, 2019.



~~U.S. DISTRICT JUDGE~~

CAM FERENBACH
U.S. MAGISTRATE JUDGE